

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

BROADCAST MUSIC, INC.;)
WARNER-TAMERLANE PUBLISHING)
CORP.; JEFF STEVENS MUSIC; RANCHO)
BELITA MUSIC; HOUSE OF CASH, INC.;)
SONY/ATV SONGS LLC d/b/a SONY/ATV)
TREE PUBLISHING; BOCEPHUS MUSIC,)
INC.,)

Plaintiffs,)

v.)

STEELE'S RESTAURANT, INC. d/b/a)
STEELE'S DIVE; and JASON L. STEELE,)
individually,)

Defendants.)

CIVIL ACTION NO.: 1:16CV155-SA-SAA

MOTION FOR DEFAULT JUDGMENT

Pursuant to Federal Rule of Civil Procedure 55(b), and for the reasons stated in the Memorandum in Support of Motion for Default Judgment filed contemporaneously herewith, Plaintiffs respectfully move this Court for entry of default judgment ordering that:

(a) Defendants, their agents, servants, employees, and all persons acting under their permission and authority, be enjoined and restrained from infringing, in any manner, the copyrighted musical compositions licensed by BMI, pursuant to 17 U.S.C. § 502;

(b) Defendants pay statutory damages in the amount of \$16,000, which represents an award of \$4,000 for each of the four claims of infringement, pursuant to 17 U.S.C. § 504(c);

(c) Defendants pay plaintiffs' costs, including reasonable attorney's fees in the amount of \$8,000.00, pursuant to 17 U.S.C. § 505;

(d) Defendants pay interest on these awards pursuant to 28 U.S.C. § 1961.

This motion is supported by

- 1) Returns of service, attached hereto collectively as Exhibit “A”;
- 2) Affidavit of Les W. Smith, attached hereto as Exhibit “B”;
- 3) Declaration of John Ellwood, attached hereto as Exhibit “C”;
- 4) Declaration of Brian Mullaney, attached hereto as Exhibit “D”;
- 5) A proposed Order, attached hereto as Exhibit “E”.

Respectfully submitted this the 24th day of February, 2017.

BROADCAST MUSIC, INC., ET AL.

By: PAGE, MANNINO, PERESICH
& MCDERMOTT, P.L.L.C.

By: /s/ Les W. Smith
LES W. SMITH, MS Bar No. 9659

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